

1 John M. LeBlanc (155842)  
2 R. Bryan Martin (221684)  
3 BARGER & WOLEN LLP  
4 633 West Fifth Street, 47th Floor  
5 Los Angeles, California 90071  
6 Telephone: (213) 680-2800  
7 Facsimile: (213) 614-7399

8 Attorneys for Defendant  
9 California Physicians' Service dba Blue Shield of  
10 California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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11 MARINA KURGATNIKOV, ) CASE NO.: C042670  
12 Plaintiffs, ) (Hon. Martin Jenkins)  
13 vs. ) STIPULATION RE DISMISSAL;  
14 TRAPEZO HEALTH PLAN, BLUE SHIELD ) [PROPOSED] ORDER  
15 OF CALIFORNIA, COBRASERV, A ) [Fed. R. Civ. P. 41(a)]  
16 HEALTH PLAN ADMINISTRATOR, and ) Complaint Filed: July 4, 2002  
17 TRAPEZO, INC., )  
18 Defendants. )  
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1 It is hereby stipulated by and between the parties, through their undersigned counsel of  
2 record, that the above-captioned action is hereby dismissed in its entirety, with prejudice, pursuant  
3 to Federal Rule of Civil Procedure 41(a)(1). Plaintiff and defendant shall each bear their own  
4 attorneys' fees and costs.

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6 Dated: October 18 2005

BARGER & WOLEN LLP

7 By:  
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JOHN M. LE BLANC JAMIE OSTROFF  
9 Attorneys for Defendant California  
10 Physicians' Service dba Blue Shield of  
11 California

12 Dated: October \_\_, 2005

13 By:  
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15 LAWRENCE W. FASANO, JR.  
16 Attorney for Plaintiff Marina  
17 Kurgatnikov

It is hereby stipulated by and between the parties, through their undersigned counsel of record, that the above-captioned action is hereby dismissed in its entirety, with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1). Plaintiff and defendant shall each bear their own attorneys' fees and costs.

Dated: October \_\_\_, 2005

BARGER & WOLEN LLP

By: JOHN M. LE BLANC  
Attorneys for Defendant California  
Physicians' Service dba Blue Shield of  
California

Dated: October 12, 2005

By: Debbie W. Fasano  
LAWRENCE W. FASANO, JR.  
Attorney for Plaintiff Marina  
Kurgatnikov

**[PROPOSED] ORDER**

IT IS HEREBY ORDERED that the above-captioned action be dismissed in its entirety, with prejudice.

Dated: 10/23, 2005

By: *Mairi J. Jenkins*  
JUDGE, UNITED STATES  
DISTRICT COURT, NORTHERN  
DISTRICT OF CALIFORNIA